

AN ORDINANCE

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON NOVEMBER 29, 2001.

| | |
|---------------------------|----|
| 696 English Avenue, NW | 03 |
| 334 Holderness Street, SW | 04 |
| 401 Mary Street, SW | 04 |
| 811 North Avenue, NW | 03 |

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on November 29, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, November 29, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

| <u>Proper Street Address</u> | <u>City Council District</u> |
|------------------------------|------------------------------|
| 696 English Avenue, NW | 03 |
| 334 Holderness Street, SW | 04 |
| 401 Mary Street, SW | 04 |
| 811 North Avenue, NW | 03 |

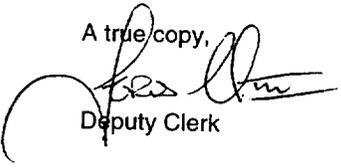
SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached
In an amount necessary to recover the costs incurred by the City of Atlanta

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

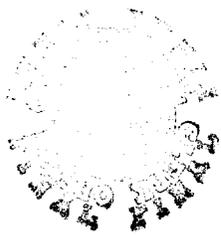
SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

FEB 04, 2002
FEB 12, 2002



TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Rosella Margaret Lee and Tiffinye Y. Lee
Fulton County Tax commissioner

on 11-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 112 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point on the west side of English Avenue, 125 feet north of the northwest corner of English Avenue and Bellwood Avenue, and running thence north along the west side of English Avenue, 41 feet to a point; thence west parallel with Bellwood Avenue, 125 feet to a 14 foot alley; running thence south along the east side of said alley 41 feet; running thence east, 125 feet to the west side of English Avenue and the POINT OF BEGINNING; being a part of the original subdivision of block 5 as per plat made by W. T. Wilson, C.S. and being improved property known as 436 English Avenue, N. W. according to the present system of numbering of houses in the City of Atlanta and being the same property as received by the Grantor herein at Deed Book 8154, Page 277, Fulton County, Georgia Superior Court records.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 9, 2001

BY: Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195
BY: Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Willie F. Sanders and Zinida Sanders
Chase Mortgage Company

on 11-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 117 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST SIDE OF HOLDERNESS STREET 226.8 FEET NORTH OF THE NORTHEAST CORNER OF HOLDERNESS STREET AND BELLA AVENUE, AND RUNNING THENCE NORTH ALONG THE EAST SIDE OF HOLDERNESS STREET 38 FEET TO A POINT; THENCE EAST 200 FEET TO A POINT; THENCE SOUTH 38 FEET TO A POINT; THENCE WEST 200 FEET TO THE EAST SIDE OF HOLDERNESS STREET AT THE POINT OF BEGINNING; BEING IMPROVED PROPERTY KNOWN AS 334 HOLDERNESS STREET, ATLANTA, GEORGIA 30310, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 9, 2001

BY: Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY: Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Margie C. Trimble

on 11-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in

Land Lot 87, 14th District of Fulton County, Georgia, more particularly described as follows: Beginning at a point on the North side of Mary Street 68 feet east to the northeast corner of Mary street and McDaniel street at the southeast corner of property now or formerly owned by Price Martin and running thence east along the north side of Mary street 35 feet running thence north 51 feet more or less to a fence running thence west 35 feet to the aforesaid property now or formerly owned by Price Martin running thence south along said property 51 feet more or less to the north side of Mary street and the point of beginning being improved property known as 401 Mary Street, S.W., Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 9, 2001

BY:

Dale S. Haggood
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:

Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Mazin Abraim
Security Pacific Financial Services
Georgia Mortgage Center, Inc.
Thomas R. Hopson Broker, Inc.
Domestic Mortgage, Inc.
Fulton County City of Atlanta

on 11-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in the City of Atlanta, part of Land Lot 111 of the 14th District, originally Henry, now Fulton County, Georgia, and being more fully described as follows:

BEGINNING on the north side of West North Avenue, 95-1/4 feet west of the northwest corner of West North Avenue and English Avenue; and running thence west along the north side of West North Avenue 31-3/4 feet and extending back north with same width as front and at right angles with North Avenue, 100 feet; the house situate thereon being known as No. 111 West North Avenue.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 9, 2001

BY:

Dale S. Hayward
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:

Bill Castings
Assistant Real Estate City Attorney

RCS# 3425
2/04/02
2:01 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-0001; Clean & Demolish
02-O-0002; Clean & Close
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

| | | | |
|-----------|-------------|------------|------------|
| Y Smith | Y Archibong | Y Moore | Y Mitchell |
| Y Starnes | NV Fauver | Y Martin | Y Norwood |
| Y Young | Y Shook | Y Maddox | Y Willis |
| Y Winslow | Y Muller | NV Boazman | NV Woolard |

MULTIPLE

02-0-0001

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON November 29, 2001

696 English Avenue, NW 03
334 Holderness Street, SW 04
401 Mary Street, SW 04
811 North Avenue, NW 03

ADOPTED BY
FEB 04 2002
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred | 22 / 02

Referred To:
Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____
Date _____
Chair Clata Hensler
Referred to _____

First Reading _____

Committee ED/HR
Date 1/29/02
Chair Clata Hensler
Action: _____
Fav/Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

FINAL COUNCIL ACTION
 2nd
 1st & 2nd
Readings
 Consent
 V Vote
 RC Vote

CERTIFIED

CERTIFIED
FEB 04 2002
ATLANTA CITY COUNCIL PRESIDENT
Robert W. Woodard

CERTIFIED
FEB 04 2002
MUNICIPAL CLERK
Rachel Douglas Johnson

MAYOR'S ACTION

FEB 04 2002
Harley B. ...
MAYOR